

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FRENZY TECHNOLOGIES, INC., *doing business*  
*as* Hyper.co,

Plaintiff,

-against-

FROSTED, INC., *doing business as* Whop.com,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/28/2023

1:22-cv-1223 (MKV)

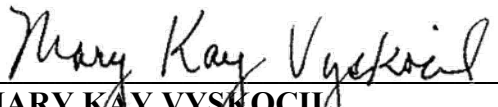
ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter filed by Defendant informing the Court that the parties have reached a settlement in principle and requesting an extension of time to respond to the Complaint [ECF No. 27]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the application to restore is made by March 30, 2023. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004). All other dates and deadlines, including the deadline to respond to the Complaint, are adjourned *sine die*.

**SO ORDERED.**

**Date: February 28, 2023**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**